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ABSTRACT

The National Environmental Policy Act (NEPA) is based largely on assumptions about bureaucratic ineptitude as the cause of environmental degradation and citizen involvement as the cure. These assumptions and the procedural requirements of the NEPA process have severly undercut the limited contributions which citizen involvement can make to executive agency planning and decision making. Public involvement is highly problematic. Although there are areas in which public involvement can make significant, positive contributions to public policy formation (in educating agency personnel, educating the public, and in increasing communication between the governor and the governed), a review of public participation in NEPA reveals over-emphasis on largely irrelevant procedural matters and a lack of concern with substantive goals. Several reasons are offered for this negative impact of NEPA on public involvement, including: (1) involvement programs are restricted to a largely specious planning schedule; (2) NEPA ties public involvement to acceptance or negation of a specific project or decision; (3) over-use of court litigation gives public involvement programs an adversarial tone; (4) preference for a hearing/workshop format at the local level has precluded other modes of communication. The concept of public involvement as elaborated under NEPA in the environmental movement is not unique, but rather generally illustrative of uncritical endorsement of citizen involvement. The conclusion is that citizen involvement is not a panacea and must be reevaluated. (Author/DB)

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Public Involvement and the National Environmental Policy Act of 1969

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The purpose of this essay is to put two familiar good guys, NEPA and public involvement, together and to cast aspersions on them individually and on their interaction. For seven years, they have figured quite prominently in the efforts of environmentalists, government agencies, and Congress to promote environmentally sound decision making. This essay will expose erroneous assumptions and problems inherent both in NEPA and in public involvement. Concluding with a discussion of the synergy of weak ideas, it discusses how NEPA has turned public involvment away from some limited but potentially useful roads toward less promising and largely irrelevant paths.

It is now almost obligatory to note that the 1960s were years of great turbulence and doubt in the United States. A dominant chord sounded

then and is still reverberating--a broad-based lack of faith in our societal institutions. A government allegedly of, for, and by the people appropriately should be severely challenged by such an apparent diminution of public confidence. It should seek to rectify errors in substance, process and style in order to regain the confidence of the citizenry. The contemporary public involvement movement is rooted in this public distrust and the government's response to it. Citizen participation was seized upon by both disgruntled activists and agency bureaucrats as a panacea for the crises of the period: a more democratic process would result in better decisions.

Interest in protecting the environment developed simultaneously with the growing reliance on public involvement. The movement evolved from a back-to-nature fad, a concern for natural beauty reflected in the wilderness movement and Lady Bird Johnson's clean up campaigns, into a broader concern with the threats of pollution and environmental degradation. A whole new set of issues appeared on the nation's agenda: clean air, clean water, population control, land use regulation, and control of toxic substances. The National Environmental Policy Act (NEPA) signed into law in 1970 has become a symbol of these concerns and is widely viewed as a major tool for solving our environmental problems.

The confluence of the environmental and public involvement movements is of more than chronological significance. The environmentalists assume that citizen involvement in decision making will lead to "better" decisions. They have spent substantial effort defining and developing a citizen access process. In the elaboration of NEPA the environmentalists have, in fact,

concentrated their efforts much more on procedural than on substantive goals. NEPA itself imposes no substantive requirements on government decision makers; it simply mandates that certain documents be prepared and circulated during the decision making process.

This essay will argue that preoccupation with that procedure, specifically its public involvement aspects, is highly problematic for all concerned. It will proceed in three sections. The first focuses on NEPA, analyzing assumptions inherent in the NEPA process regarding administrative reform and the place of public involvement in that reform. The second section deals with the problems with public involvement as they pertain to the NEPA process. This part contains some general remarks on what public involvement could be or should be. The influence of NEPA's requirements on public involvement strategies and programs is discussed in the third section. It concludes that NEPA requirements have been an important and deleterious influence on public involvement programs.

The National Environmental Policy Act

When NEPA was first enacted it did not attract very much comment, either in the popular press or in the environmentalist literature. Early discussion of its provisions focused more on the Council on Environmental Quality than on the so-called "action forcing" provision which required Federal agencies to prepare environmental impact statements (EISs). NEPA became the central focus of environmental activism only following

its judicial elaboration. The courts emphasized NEPA's procedural requirement to prepare EISs, specifying ever more comprehensive documentation of the required consideration of environmental impacts.

NEPA's provisions on this point are actually quite simple: if a Federal agency plans to take a major action which will significantly affect the quality of the human environment, a detailed statement (EIS) must be prepared analyzing the environmental impacts of the proposed action and describing possible alternatives. The agencies are also directed to utilize a "systematic interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decision making...." The impact statement process requires the federal officer responsible for the decision to prepare a draft document for circulation and comment to the public and potentially affected or expert government agencies. This is where public involvement comes into the NEPA process. A final impact statement is then prepared which must include and respond to the comments received. This final document then accompanies the proposal through the "agency review process."

Underlying these requirements are two fundamental assumptions about the nature of both environmental problems and administrative decision making. These assumptions are absolutely critical in defining the place of public involvement in the development of NEPA. The first assumption is that environmentally unsound decisions are caused by an administrative system which is not doing its job. Adverse environmental impacts of

agency programs do not get weighed nor the amenity values or alternatives considered because agencies and their personnel are captured, incompetent and/or ill-informed. NEPA's second major assumption is that other groups or institutions, notably the public and the courts, are consistently better informed, more competent, less subject to capture and can guide, advise and cajole the agencies to make environmentally correct decisions. (See Crampton, 1972; Jaffe, 1970 for discussions of "relative competence.") The Courts are less important in the process than the public. They are, to be sure, a threat and a last resort, in NEPA as in all things. However, the Courts only become involved when the NEPA process fails in the first iteration and their authority is required to oblige agency compliance with NEPA's requirements. The major thrust of NEPA's reforms is aimed at recasting the decision making process. The major recasting will be done by making the process more "rational" and more public.

NEPA's "action-forcing mechanisms," the EIS and the public involvement, rely for their efficacy on the idea of rational decision making. In the rational model, decision makers and their advisors are pictured sitting down, identifying a problem, clarifying goals regarding its solution and then formulating a policy to resolve it. As Charles Lindblom and others have made so clear, this is not a useful way to conceptualize decision making. Their incremental model of decision making labelled and brought to social scientific respectability the clearly observable facts. Bureaucrats cannot and do not attempt a comprehensive survey of a problem, nor do they deal with situations de novo. Proposals are difficult to sift

out of ongoing agency business. Bureaucrats tend to focus on "policies which differ only incrementally from existing policies" (Etzioni, 1967). Thus, whatever appears as a proposal is not a free-standing entity to be scrutinized and evaluated independently, but a manifestation of previous programs, agency values and commitments.

These erroneous assumptions and conceptions about the decision making process when viewed in light of our current knowledge of the process clearly indicate NEPA's misdirection. Of particular importance though when considering the relationship between NEPA and public involvement is NEPA's assumption of relative competence. NEPA assumes that the public, overseeing agency activities (a capella or through the courts), has superior insight, information and detachment, that it can badger, cajole and force recalcitrant, incompetent bureaucrats onto the environmental straight and narrow. Information and perspective will be provided by a vigilant public. Citizens can do this, NEPA encourages us to believe, by inserting themselves into a clear and rational administrative decision making process in which variables and alternatives are weighed and information is gathered, circulated and given to the decision maker who then "decides."

As shall be indicated below, there is some utility in some public involvement aspects of the NEPA process. However, its assumptions regarding the nature of the environmental problems and solutions thereto are clearly wide of the mark. "Bad" decisions obviously have been made, and there is probably cause in numerous instances for asserting that better information would have led to better decisions. However, perfect informa-

tion about all impacts of every decision would not alter the fact that the American way of life has profound, negative impacts on the environment. Information will not prevent that inevitability. The assumption that the administrators have run amuck and that the people can avert harms caused by their errors and insensitivities is largely irrelevant to most aspects of environmental degradation. More immediately, for the purposes of this paper, it is also false.

Public Involvement - History, Problems & Potential

Many NEPA advocates are so enthusiastic about the statute that they believe that the environmental movement and public participation in it began in 1969. Nothing could be further from the truth. Leaving aside the long and significant history of conservation in America, a brief discussion of the history of public involvement itself will introduce the major problems of citizen participation.

History

Contrary to widespread belief, public involvement is not a recent innovation. Our entire government is founded on various notions of public involvement in decisions that affect their lives. At a less profound level, agencies have long recognized the need to develop public support for their programs in order to survive. Neither recent events, nor NEPA's meager words on the subject are new, revolutionary or unfamiliar. The present emphasis on public involvement does, however, differ importantly

from our previous experience because of whom it involves and the point at which they participate.

Herbert Kaufman long ago discussed the place of public participation in American government, noting especially the continual shifts between the goal of involving the public and the equally valid goals of achieving technical expertise, efficiency and executive control (Kaufman, 1956). During the era of Jacksonian democracy the public was involved in government During decision making largely through the electoral process. Many positions that we would now consider appointive were then elective, and those that were not directly elective were subject to the spoils system. "Good government" reforms such as the Pendleton Act put an end to that. Since the Jackson era, we have come through long periods of emphasis on technical or non-partisan competence and reorganizing for executive control and administrative tidiness.

Many of these government reforms have, however, largely shut off the previous routes of citizen access. Bureaucrats are appointed for reasons of professional, refined competence rather than elected; hence they are faceless and ostensibly "unresponsive." Moreover, the complexity and scope of government activities has become so vast that the argument that a citizen can direct the bureaucracy through the voting process appears to many to be a bit strained. The uniqueness of the current public involvement effort is that with the traditional representative mechanisms apparently atrophied, the public has effectively asserted a new right to participate directly in the planning and decision making process of the executive agencies of government.

This mode of participation itself is not new. It has occurred on a relatively quiet but crucial front for almost thirty years. The notice and comment type rule making required by the Administrative Procedures Act (APA) (5 U.S.C. 553) is the familiar and obvious forbearer of this most recent type of participation. The pressures of the 1960s have, however, altered the fundamental concept profoundly by shifting the who, the why and the when of involvement. The APA required publication of proposed rules in the Federal Register so that the public could comment on them, either in writing or at a hearing. The agency then had to consider the comments before adopting final regulations. The public identified itself and had to have the initiative to get involved. Under the pressures inherent in the social and political upheavals of the 1960s the notice and comment concept was altered significantly to provide direct public access to agency decision making. The changes which took place have introduced serious theoretical and operational problems into the citizen participation idea. Three aspects of these changes seem fundamental.

First, notice and comment hearings clearly put the burden for getting involved on the affected public. Interested persons are required to be vigilent in protecting their interests. This is not the case with current concepts of public involvement. The first skirmishes of the present participation movement were fought in the urban civil rights arena. The idea was to lure outsiders into the system. Participation was not information sharing; it was specifically aimed at being therapeutic, hopefully leading to cooptation. From this an affirmative responsibility developed on the part of

the agency to actively solicit participants. No longer is it sufficient to listen to the opinions of the alert; new public involvement requires that agencies aggressively, exhaustively invite and seek out the opinions of the public.

This emphasis on active solicitation of involvement raises a second set of problems. The nature of the public to be involved has altered. A responsibility has developed to seek input from the general public, the mass public, the "man in the street." The mandate is no longer to provide an opportunity for those who will be affected by a decision to be heard. Under the new approach, the goal is to involve everybody. This is impossible, but this goal immediately presents new and serious problems regarding the sufficiency of the "sample" of the participants. Did enough people, enough blacks, women, bear hunters and snowmobilers "turn out"? All of the theoretical problems surrounding the definition of representativeness and all of the practical difficulties of achieving it once defined have been thrust upon the administrative agencies.

The problem of representativeness is acutely reflected in confusion regarding the appropriate impact of citizen involvement on agency decisions. Much hostility has been generated in all quarters by confusion over how the public's suggestions are to be received, evaluated and employed.

Under the APA, attentive and affected publics are to participate by "commenting" on agency proposals. They provide information regarding the potential impact of the proposed rule and proffer suggestions. Again,

growing out of its association with the civil rights protests of the 1960s the idea developed that the public was going to do more than make suggestions--they were going to make decisions. This confusion potentiates the problems regarding representativeness. Almost inevitably the agency appears to be holding a plebescite.

A third and final alteration from the APA model concerns the elusiveness of the decision maker and the decision. NEPA, as noted above, assumes that both can be located and influenced by citizen input. Under APA rule making procedures this is a valid expectation. A specific agency announces that rules on a specific and predetermined topic are about to be promulgated and invites public comment on that limited but critical activity. Citizen participation, currently conceived, has a much more diffuse target. The public will be "involved" in agency planning and decision making. Thus the focus, the timing, the purpose and the issues become almost infinitely dispersed.

Obviously the Administrative Procedures Act is not a clear or perfect guide to proper citizen involvement. There is no intent in the foregoing paragraphs to argue that we deviated from an ideal process and should return. One could better argue the contrary, that if the APA had constituted a panacea, pressures for further elaboration of public access would not have developed. However, the APA requirements do present a process that has proved successful and manageable for many years. The process has been broadly applied by agencies in contexts other than rule-making and it is clearly the lineal antecedent of present thinking on the public

participation. Moreover, the dimensions of the present quagmire can be succinctly illustrated by pointing out how the concept has changed.

Problems

These shifts in the nature of public participation are crucial to understanding the role of NEPA in public involvement. NEPA itself, as noted above, relies in significant part on public involvement to improve decision making. The difficulties presented by these recent developments in public involvement will be discussed in more detail and analyzed in the context of NEPA. Following the contours of the above discussion of the APA, three types of difficulties will be elucidated: does the public meet the standards of relative competence implied in NEPA's assumptions; can they provide the kind of information which NEPA depends upon; does the NEPA process insinuate the public into the decision making scheme at the appropriate point?

The first and most widely recognized problems relate to defining the public. We have known for years that we could not identify the "public interest," "the will of the people," or "the greatest good for the greatest number." "The public" is equally elusive. There is no rational, alert Greek chorus waiting in the wings to chant wisdom and keep the erring bureaucrats on some identifiable high road. "The public" does not exist and cannot get involved.

Those individuals and groups who do get involved must meet at least, three crucial criteria:

1. they must be informed about the issue itself, and the procedure required for participation;

2. they must be sufficiently confident regarding their knowledge of the issue and their ability to present their views in the participation format (letter writing, meeting attendance, debate, etc.) so that they will see themselves as potential participants;

3. they must be motivated to participate by awareness that the issue is of sufficient personal significance to justify personal effort, and by the assumption that their involvement will have a positive or beneficial impact on the resolution of the issue.

"The public" then consists of those individuals whose oxen are, have been, or are about to be gored. "The people," in the sense of the people in the street, stay home. Only those directly affected have the requisite attentiveness to find out when the participation activity is occurring, the time to prepare for it, and the commitment to take a stand. They are the only ones who ultimately participate.

Insofar as the recent shift in public involvement effort seems inspired by a desire to open the halls of government to those who have been excluded from existing or traditional channels of influence, the idea is indeed misconceived. More important for present purposes, preoccupation with the mystical properties of "the person in the street" notwithstanding, there is absolutely no basis for assuming that the public which gets involved will be free from capture, bias or ideological commitment. Participants

constitute a group self-selected on the basis of the anticipation of personal loss or gain in connection with a particular decision or plan. The point is, of course, that given the special qualities and motivation required to "get involved," there is no way to attract an unbiased, detached or representative group. To dramatize the point, it seems fair to assert that one quick way to identify zealots on a particular issue would be to hold a public involvement meeting and see who turns out.

There is no basis for assuming, as NEPA supporters must, that "the public" which participates provides an unbiased view or speaks for the public interest. The only basis on which people turn out is the profoundest expectation of personal gain. NEPA errs seriously in the assumption that citizen participants are less biased, less captured by special interest, more representative of the public interest than are agency personnel.

The second difficulty with the new developments in public involvement is the contribution the public can or is likely to make. Obviously the nature of the participants influences the kind of information they will provide. Clearly if you are dealing with deeply committed partisans and advocates, it is unrealistic to hope that their input will be the unbiased technical data which the NEPA process ostensibly should circulate to the decision maker. This is not unexpected. Most of the public input consists of more or less articulate expressions of preference. As such it tends to be unidimensional. An off-road vehicles advocate probably does not know or even care very much about timber supply or wildlife habitat management. Similarly, people turn out to oppose a highway not because they

are concerned with transportation or the flow of commerce but because the proposed road is in their town, their trout stream or their back yard. The total picture of highway planning or multiple use land management is not their concern. The substantive or technical information they provide therefore tends to be of marginal utility and not wholly unanticipated.

The third difficulty with the developments in public involvement is that they stem from the same misconceptions about the bureaucratic decision making process that NEPA suffers. Public participation advocates generally assume a rational model. The complexity of our system, its divided authorities, overlapping jurisdictions, multiple levels and fragmented power makes it extremely difficult to locate decision-makers who are going to make decisions. Much of the implementation process, to say nothing of planning, consists of continued renegotiation and determination of policy directions. It is very difficult to say if, when, and by whom a decision is "made." For a private citizen to have an input into decision-making is correspondingly problematic.

To illustrate, if you are concerned with wildlife management in a National Forest near your home, should you "turn out" to help the State Department of Natural Resources plan? They control the wildlife. Or, should you join in a National Forest Service planning session? They manage the wildlife habitat. Should you write Congress (the substantive committee members, the appropriations committee people, your own Representative or Senator) or the President to see that the Forest Service gets sufficient habitat funds? Or should you try to influence the State decision-making process by writ-

ing legislators, the governor, the head of the State Department of Natural Resources? Policy is negotiated rather than made. No matter how dedicated and attentive, the public cannot be expected to be constantly involved. No matter how sincere and extensive the effort of one agency or branch of government, it cannot involve the public in "the" decision because there are hundreds of decisions, most of which the agency does not make.

All of these problems do not add up to a list of reasons the public should not be involved. We are dedicated to the proposition that citizens should have a part in decisions that affect their lives. The electoral mechanism has not sufficed in the eyes of some people, and we are engaged appropriately in seeking new modes of participation. All of this is right and proper. However, the new modes deserve critical scrutiny and modification if they are to be useful.

In the instant case, the NEPA process, a number of assumptions are very clearly being made regarding the public, its level of information and its ability to reflect the public interest opposed to private, partisan or special preferences. As shown above, the public does not exist as NEPA assumes it, nor do decisions exist and/or "get made" as posited in NEPA.

Potential

Quite clearly NEPA assumptions create a false impression of the public and what it can contribute to agency decisionmaking. Based on experience in implementing a variety of public involvement programs, what can the

effort accomplish if properly conceived? There seem to be three areas in which public involvement programs can make a real contribution to the discussion of public policy: in educating agency personnel, in educating the public, and in establishing communications and hopefully respect and understanding between the governor and the governed and among the governed. These are not trivial goals. One wonders whether public involvement as currently conceived is the best way or the most cost effective way to achieve these goals, but there seems to be general agreement that it is a way. This is increasingly true. Considerable progress has been made by all sides since it was chic simply to mau mau the flak catcher (Wolfe, 1971). The literature on all three of these goals is extensive and familiar. The discussion below is accordingly brief.

Under the general heading of "educating agency personnel" there are three basic themes which deserve mention. The first concerns the obvious point that the public can contribute by inserting a non-agency viewpoint. Frequently consultants are paid by agencies to bring a new and not necessarily more expert perspective to a problem. (This raises the currently very hot question of government support for "public interest" group participation, private attorneys general and the like.) Granting that the public which gets involved is no more expert, detached, or public-spirited than agency personnel, it is frequently true that they have <u>different</u> biases and preferences. Discussing programs and projects with the public is useful just because they are outside the agency and do not necessarily share agency assumptions regarding issues or the need to protect agency interests.

Secondly, public involvement provides a useful, necessary though admittedly incomplete and unrepresentative inventory of public preferences. Agency planners cannot be bound by such inventories, but neither can they proceed without them. When planning projects and programs for the public good, to be paid for by public funds, it is necessary to inventory public perceptions, expectations and preferences regarding the program. It is probably true that there are methods for obtaining such inventory that are more efficient and less costly, such as opinion polling, but the town hall format is part of our mythology and does make a contribution in this area.

Thirdly, requiring public discussion above and beyond what public managers appropriately define as part of their professional responsibilities dramatizes the public service aspects of government employment. We recognize the need for professional competence represented in the various agencies. This recognition, as alluded to above, has been manifest in Civil Service standards regarding hiring, promotion, tenure and compensation of government bureaucrats. Public involvement is a reminder that though unelected, they are nevertheless responsible servants of the public.

Agency personnel are not, however, the only ones that benefit from the educational opportunities inherent in a public involvement experience. The public can learn much that will enhance its knowledge of the substance and process of policy-making. First, it is educational for advocates to be exposed to their counterparts on opposite sides of issues. Such encounters can polarize a discussion if they are not handled with sensitivity, however, it is generally considered useful if advocates understand that

theirs are not the only interests being weighed. This certainly simplifies the agency's position. More important, a broad understanding of all points of view, or at least recognition that there are numerous points of view, frequently improves the quality of public debate.

So too, substantive information can be very helpful. Frequently hostility arises out of simple lack of understanding of the basic facts behind an issue. This has little to do with the public relations gimmickry in which agencies engage. It is sometimes helpful if the agency is given a chance to explain constraints - statutory, budgetary, technical--which they see as operative in an issue.

Finally, it is useful for the public to see government personnel as human beings. So much is made of bureaucrats being unresponsive, faceless, et cetera, that to see them in the flesh and question them, is a very good exercise.

All of these points are rather obvious aspects of a third category of benefits, opening communications. Public involvement is most productive when it brings people together to talk about shared concerns. The common assertion here is that the folks will reason together, understand their differences and accept a compromise of their interests. That is probably a bit idyllic, although it happens more frequently than might be anticipated. However, there is clearly something to be gained in understanding that there are differences. Public involvement provides an opportunity for people interested in an issue to talk to each other, to establish communications and to learn to know each other. This is its major utility.

NEPA and Public Involvement

NEPA's impact on public involvement is negative largely because a number of its specific aspects diminish the opportunity for communications and dialog. This is because NEPA has made public involvement regimented, adversarial, litigious, and nose-count oriented. Communication is lost in a sea of unnecessary attitudes and requirements.

The EIS circulation process of NEPA preordains that public involvement efforts be dull and repetitious. This is because the involvement programs are closely regimented to conform to a largely specious planning schedule. Under pressure of constant litigation and criticism, agencies have decided to err, if they must, on the safe side. The public will be involved at "every stage" of the planning process. It is not unusual to have public input sought at the alternative-generation staged, alternative selection stage, alternative assessment stage and alternative stage. All this is keyed to the filing of a draft and then a final environmental impact statement. It is inevitable that after the first time around the conversation becomes predictable, dissatisfying and dull. Only the professional interest articulators stay in the process, and relatively few of them can afford it. The sheer number of requests for public involvement creates a real burden for even the most dedicated, prosperous interest groups.

Secondly, NEPA inevitably ties the public involvement program to a specific plan, project or decision and the alternatives to it. This has a number of negative consequences. To many participants the alternatives look like candidates which require support or defeat rather than discussion.

This, as noted above, gives rise to the appearance of a plebescite. Moreover, many groups attempt to create a strong numerical showing in support of the preferred alternative. This misconception of the proceedings is exacerbated by the agency's efforts to "turn out" large numbers of interested citizens and by their unfortunate tendency to summarize citizen response in pro/con or other tally-oriented charts. Finally, the side that "won" inevitably expects to see its preferences implemented and is reasonably annoyed should this not happen. The presence of "candidates" also potentiates the tendancy for these affairs to be advocacy-oriented rather than information- or discussion-oriented.

Thirdly, both the nature of NEPA's assumptions regarding relative competence and the endless litigation surrounding the development of NEPA requirements give public involvement programs an inappropriately adversarial tone. Too many people in and out of the agencies feel that public involvement programs are the occasion for them to really put it to the opposition. This atmosphere is not conducive to good communications about important issues.

Fourthly, NEPA requirements have pervaded the environmental field and have established a presumption in favor of mass public involvement in a hearing/workshop format at the local level. Advisory councils, opinion sampling, coordination with local governments and open house formats are somehow suspect. This tendency to fall into one mode simply heightens the tedium of the exercise.

Clearly, NEPA requirements have introduced a number of unnecessary barriers to the establishment of communications. They have also introduced an absolutely irrelevant standard for judging and reviewing agency policy (Stewart, 1976). NEPA is based, as noted above, on the assumption that the bad guys, bureaucrats, will be redeemed by the influence of good guys, the public. Getting the good guys into the discussion at every opportunity is, therefore, seen as beneficial and productive of right decisions in and of itself. Hence, the "adequacy" of public involvement has itself become an issue in evaluating policy decisions. This is a convenient way of attacking a decision not to one's liking and unfortunately it is taking on independent validity. This emerging standard of policy review and evaluation is totally irrelevant.

The adequacy of public involvement is moreover becoming increasingly problematic given the understandable tendency of citizens other than the good guys to get involved. One aspect of the peculiar self-rightousness of many "public interest groups," notably but not exclusively environmentalists, is that they assume that they are or represent the public and the public interest. When they force open doors to let the public in, they assume that the advantage gained will be theirs. This assumption has prompted environmentalists to devote a great deal of attention to procedural rather than substantive issues. The whole idea breaks down when the bad guys--industry representatives, snowmobilers, ski resort and second home developers, farmers who rely on irrigation, etc.--come through the door too. Instead of confronting the captured and biased agency with non-partisan representa-

tives of the public good, the competing biases of various special interest groups are aired before the agency which is then left to weigh the input and balance the interests. It is very difficult to see how the original situation has been altered by extensive agency and public effort. It would seem fair to suggest that NEPA's impact on public involvement has been negative in terms of what the program can accomplish and ultimately unproductive in terms of the environmentalists' own goals.

Conclusion

NEPA-philes are enthusiastic about the public involvement aspects of the NEPA process. The idea seems to be that some public involvement is better than none and a lot is better than a little. Under this cloud, whether you see NEPA as initiating or simply increasing public involvement, NEPA has been good for public involvement and hence good for public policy. But the question is not public involvement under NEPA or none at all. There are important questions about the quality of the program which have been obscured in an ill thought out rush to simply expand it.

Many diverse efforts at involving the public in agency decision making were in place well before the passage of NEPA. The notice-and-comment requirements of the Administrative Procedures Act are characterisristic of many of the earlier programs. New public involvement, as refined in NEPA, is highly problematic and not necessarily a desirable replacement for what went before. We have been uncritical for too long. Public involvement has clear but constrained utility. It should be evaluated and applied

in that limited context. It is not a standard for decision making and must not be allowed to become one or substitute for one. Under NEPA's assumptions and requirements the program has become misconceived and frustrating. Re-assessment and redirection are long overdue.

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